

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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IN RE: ACETAMINOPHEN – ASD-ADHD
PRODUCTS LIABILITY LITIGATION

Case No. 1:22-md-03043-DLC

This Document Relates to:

All Cases

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NOTICE OF RETAILER DEFENDANTS’ MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in support of the Retailer Defendants’ Motion to Dismiss, the Declaration of Kristen R. Fournier in support thereof with accompanying exhibits, and all the pleadings and prior proceedings had herein, Defendants 7-Eleven, Inc., Costco Wholesale Corp., CVS Pharmacy, Inc., Dolgencorp, LLC, Dollar Tree Stores, Inc., Family Dollar Stores, LLC, The Kroger Co., Rite Aid Corporation, Safeway, Inc., Sam’s West, Inc., Target Corporation, Walgreen Co., and Walmart Inc. (together, the “Retailer Defendants”), through their undersigned counsel, respectfully move this Court, before the Honorable Denise L. Cote at the United States District Court for the Southern District of New York, on a date and at a time to be determined by the Court, at the Daniel Patrick Moynihan

Courthouse, 500 Pearl Street, New York, New York 10007, for an Order dismissing Plaintiffs' claims with prejudice in the above-referenced action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.¹

Dated: February 10, 2023

Respectfully submitted,

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¹ This Motion addresses all Short Form Complaints filed in this MDL on or before February 6, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2023, a copy of **NOTICE OF RETAILER DEFENDANTS' MOTION TO DISMISS** was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all registered users.

/s/ Kristen Renee Fournier
Kristen Renee Fournier

*Counsel for Defendant Walmart Inc. and Sam's
West, Inc.*